

Certified Trial Attorneys

Stephen F. Hehl

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December 16, 2019

Ms. Linda Jacus, Board Secretary Planning Board TOWN OF WESTFIELD 959 North Avenue West Westfield, NJ 07090

RE: Applicant:

Michael & Roseann Hennessey

Property:

444 Mountain Avenue Block 1208, Lot 1

Dear Ms. Jacus:

This office represents the Applicants, Michael and Roseann Hennessey, in connection with and application being filed with the Planning Board for the above-referenced property. Enclosed please find twelve (12) collated sets containing the following:

- o Checklist and Application;
- o Minor Subdivision Plan prepared by EKA Associates, P.A., dated 10/22/19, including survey dated 9/16/19; and
- o Proposed elevation and floor plans for house to be built on proposed Lot 1.01.

Also enclosed are the following:

- Fee Schedule;
- Check no. 251 in the amount of \$1,000.00 representing the application fees;
- Check no. 252 in the amount of \$750.00 representing the escrow fees:
- Completed Form W-9;
- Six photographs of the site;
- Print-out of tax map showing property location; and
- Statement from Town website showing taxes and assessments are paid in full.

Ms. Linda Jacus, Planning Board Secretary December 16, 2019 Page

Please advise my office when the application is deemed complete and the earliest possible date this matter can be listed on the agenda.

If you have any questions or should you require any additional information, please do not hesitate to contact this office.

Thank you for your attention to this matter.

Very truly yours,

FRANCESCO GUAGLIARDI

FG:dpm Enclosures

cc:

Mr. & Mrs. Michael Hennessey EKA Associates, P.A.

APPLICANT: MICHAEL HENNESSEY PROPERTY: 444 MOUNTAIN AVENUE **BLOCK 1208, LOT 1**

RS-8 ZONE

FEE SCHEDULE

Fee	Application Fee	Initial Escrow Fee
Minor Subdivision	\$300.001	\$750.00 ²
Two (2) Lots Proposed	\$100.00 ³	
Variances		
Minimum Lot Depth	\$150.00 ⁴	
Minimum Front Yard	\$150.00 ⁵	
Maximum Driveway Width (Lot 1.01)	\$150.00 ⁶	
Maximum Driveway Width (Lot 1.02)	\$150.00 ⁷	
Totals	\$1,000.00	\$750.00

Below is a recently adopted fee ordinance for all development application and escrow fees. Please note that there are two separate fees to be submitted when you file your application with the town. One check is to be submitted for the application fee, and a separate check is to be provided for the escrow fee. Please made checks payable to "Town of Westfield". Please be advised that additional application and escrow fees may be required upon our review of your application based upon the attached fee schedule.

	*Initial	Initial
Application Type	Application Fee	Escrow Fee
C Variance	\$150.00	\$250.00
D Variance		\$500.00
- Residential	\$400.00	
- Non-Residential	\$750.00	
Appeal of Zoning Officer Decision	\$100.00	\$300.00
Interpretation of Zoning Regulations	\$100.00	\$300.00
Conditional Use Review	\$250.00	\$250.00
Concept Plan	\$150.00	\$400.00
Minor Site Plan	\$250.00	\$500.00
Minor Sub-Division	\$300.00	\$750.00
Preliminary Major Site Plan	\$350.00	\$750.00
Final Major Site Plan	\$175.00	\$375.00
Preliminary Major Sub-Division	\$500.00	\$250.00
Final Major Sub-Division	\$250.00	\$175.00
*Property Owner's List	\$ 25.00	

¹ § 5.02.I ² § 5.03.A.9 ³ § 5.02.I

^{4 § 5.02.}A 5 § 5.02.A

⁶ § 5.02.A

⁷ § 5.02.A

BOARD APPLICATION

WESTFIELD BOARD OF ADJUSTMENT

WESTFIELD PLANNING BOARD

Linda Jacus

908-789-4100 ext. 4602

<u>ALL APPLICATION MATERIALS</u> (board application, engineering plans, architectural plans, reports, photo, etc.) MUST BE COLLATED.

<u>Please check that Your Application Package consists of the following before returning to the board secretary:</u>

The Board, when reviewing the application, shall have the authority to request additional information not required by this checklist or the ordinance if, in its opinion, such additional information is necessary to make an informed decision on the application or appeal.

/	_					_			
M	One	(1)	copy	of	The	Original	Ap	olication	Form.

M Twelve (12) copies of plans, sketches, renderings, etc to be utilized during the hearing. Plans must be folded before they are turned in to the Board.

Photographs or other visual aids such as oversized posters and charts do not need to be duplicated or submitted in advance of the hearing. Notwithstanding the above, the Board Secretary may require a greater or lesser number of copies in particular cases as needed. If any item on any of the forms or enclosures is not applicable, is unknown or is otherwise unable to be completed, please enter "N/A" or other appropriate phrase in the space. For applications involving new buildings, or additions or alterations to existing buildings, provide architects drawings or scaleable floor plans, which may be prepared by the owner/applicant. The plans should include the existing and the proposed new construction of each story of the building (including basements), drawn to a scale not smaller than 1/8" = 1'0", and exterior elevations of all sides. The proposed use of each room must be indicated on the floor plans.

- Initial application and escrow fees are due at the time the application is submitted. Please see page 17 of the application packet to determine the initial fees due. Please submit two separate checks made payable to "Town of Westfield". Please be advised that additional application and escrow fees may be required upon review of your application. The Secretary will advise you of any additional assessment.
- M Photographs depicting the subject site, the existing structure from all sides, site improvements, roadway access and yard areas.
- A certificate from the Westfield Tax Collector starting that all taxes and assessments for the subject property are <u>paid</u> up to and including the most recent collection period. The Tax collector is Mrs. Susan Noon, telephone (908) 789-4051, located in the Municipal Building, 425 East Broad Street.
- Where the applicant is not the owner, a notarized **affidavit from the owner** authorizing the applicant to file this application. If the applicant is a corporation or partnership, attach a notarized list of the names and addresses of stockholders or partners with a more than a 10% interest.
- One (1) copy of the **tax map** showing the properties adjoining the property, which is the subject of the application. This document can be obtained from the Town Surveyor's office, which is located in the same building as the Board Secretary's office, at 959 North Avenue, West.
- M An <u>ORIGINAL</u> signed, dated and scaleable survey of the property. On the survey it must indicate the area where the addition and/or alteration will be done. The survey can be no more than 2 years old.
- For applications involving new structures which are not buildings, (such as swimming pools, decks, patios, handicapped ramps, tennis courts, balconies, fences, walls, tanks, towers, etc.) the applicant must provide appropriate descriptive material sufficient for the Board to understand the nature, appearance, and construction of structure(s).
- You must return the completed "Request for Property Owners List" to obtain a certified copy of the list of persons to be noticed. You must complete the noticing on time or you cannot be heard.
- Please see Page 15 for additional submission requirements for sign variances.

PLEASE COLLATE ALL APPLICATION MATERIALS INTO SETS. UNCOLLATED MATERIALS WILL NOT BE ACCEPTED.

✓ - ProvidedX - Not Applicable

987

TOWN OF WESTFIELD

REQUEST FOR PROPERTY OWNERS LIST

	For 444 Mountain Avenue Property address							
1208 Block #		October 28, 2019 Date Requested						
EKA Associates Applicant's Name		908) 322-2030 Phone #						
••								
	cering. Dept. pperties in the Town ck and Lot numbers	•••						
Assessor's office. Than	k vou.							
Assessor's office. Than TAX ASSESSOR'S OI		DATE RECEIVED						
	FFICE SECTION:	DATE RECEIVED OCT 29 7659 TAX ASSESSOR						

	ed by TOWN OF WES			
	G WAS PREPARED BY	Engineering Dept.	ON 16/29 Date	119
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- not included in the above list.
- □ Mountainside
- □ Scotch Plains
- u Clark
- □ Garwood
- □ Cranford
- □ Springfield

29 requestel 29 provided /1/29/19

$\frac{\text{TOWN OF WESTFIELD}}{\text{APPLICATION}}$

I. Identification: This appeal is from (applicant's name)	Michael Hennessey & Ros	seann Hennessey								
street address444 Mountain A	venue tele	phone (908) 625-0234								
e-mailroseann.hennessey@gmail.comfax										
for property in Westfield, NJ located at (stre	et address) 444 Mounta	in Avenue								
II. To: (check one)	A 100 mm									
Planning Board Board Secretary: Ms. Lin Both Boards: 959 North	[] Board of Adjustment nda Jacus 908-789 Avenue West, Westfield, NJ 070	-4100 extension 4602 90: FAX 908-789-4113								
III. For a Hearing For: (Check all applica	ble)									
	icable Sections of the Westfield I mission Requirements Checklists									
★ *C variances	4.03A, 9.02, 9.03, 9.11	4.04, 7.01C, 7.01D, 8.03, 8.04, 8.06, 8.13, 8.14								
[] *D variances	4.03A, 9.02, 9.03, 9.11	4.04, 7.01C, 7.01D, 8.03, 8.04, 8.06, 8.13, 8.14								
[] Conceptual Site Plans & Subdivisions	9.04	8.07								
[] Minor Site Plan	9.02, 9.03, 9.08	8.06, 8.08, 8.13, 8.14, 8.23								
[] *Preliminary Major Site Plan	4.03C,9.02, 9.03, 9.09	4.04, 8.04, 8.06, 8.10, 8.13, 8.14, 8.19, 8.23								
[] Final Major Site Plan	9.02, 9.03, 9.10	8.06, 8.11								
Minor Subdivision	9.02, 9.03, 9.05	8.01, 8.06, 8.09, 8.13, 8.14, 8.23								
[] *Preliminary Major Subdivision	4.03D,9.02, 9.03, 9.06	4.04, 8.01, 8.04, 8.06, 8.10, 8.13, 8.14, 8.19, 8.23								
[] Final Major Subdivision	9.02, 9.03, 9.07	8.06, 8.11								
[] **Conditional Use	9.02, 9.03	4.04, 8.06, 8.13, 8.14								
[] *Structure in street, drainage way, flood basin, reserved area	4.03F, 7.01E2	4.04, 7.01E, 8.04, 8.06, 8.13, 8.14								
[] *Structure on lot not abutting street	7.01F2	4.04, 701F, 8.04. 8.06, 8.13, 8.14								
[] *Board of Adjustment "a" appeal/ administrative officer error	7.02B2 & 3	7.02A & B, 8.04, 8.06, 8.13, 8.14								
[] *Board of Adjustment "b" appeal/ interpretation ordinance/map	4.03B, 7.02C1 & 2 & 3	4.04, 7.02A & C, 8.04, 8.06, 8.13, 8.14								
[] Residential cluster 9.02, 9.03, 9.06, 8.12, 11.03F 8.13, 8.14										

^{*}Public noticing is required pursuant to Section 4.03 & 4.04 ** A major site plan review is also required with a conditional use application

40 0 0	
See Statement of Principal Points	
<u>V. Reasons:</u> Briefly summarize the reasons why you believe this appeal should be granted.	
See Statement of Principal Points	
VI. Property Description: Please provide the following information about the property, which is the subject of this appeal.	
•Enclose a scaleable (full size) copy of a location survey of the property: showing the surveyors name and license number, and data of surveyors.	101
it this information is not otherwise provided on a site plan or subdivision plat. Survey can be no more than 2 years old.	ey,
•Street address 444 Mountain Avenue, Westfield, NJ 07090	
Zone districtRS-8 Block No1208 Lot No1	
•Dimensions of lot 80' x 145' AV Area of lot 17,370 sq. ft.	
•Use of premises present Single-Family Residential proposed Single-Family Residential	
The proposed use is: ** permitted by ordinance [] a conditional use which has been granted by the Planning Board or Zoning Board of A	
[] a use permitted by variance [] a nonconforming (i.e. "grandfathered") use [] not a permitted use	Adjustm
Name of Owner Michael Hennessey & Roseann Hennessey (000) 625 0224	
Name of Owner Michael Hennessey & Roseann Hennessey Telephone No. (908) 625-0234 Street address of Owner 444 Mountain Avenue Fax. No.	
Westfield, NJ 07090	
•Does the above owner also own any property that abuts the subject property?	
No [] Yes If yes, address:	
If yes, is the abutting property subject to the Loechner-Campoli rule of merger? [] No [] Yes (If you don't know, check with the Tax Assessor in the Municipal Building.)	
•Are there any present deed restriction(s) which affect this property? No [] Yes If yes, attach copy of deed, including language of restriction(s).	
•Are there any pending proceedings, concerning the property which is the subject of this application, before any federal, state, or local board of authority? MNo [] Yes If yes, list here and attach a brief description of each.	

VII. Attorney Identification Board. All other categories	on: Private individuals, or sole pr of applicants must be represented	oprietors may repr by an attorney. (re	esent themselves ference: 1998 (s (i.e. present the application) before the Cox - pages 477 & 478)	ne
	be represented by an attorney, ple			, 8	
, Attorney's name _	Stephen F. Hehl, Esq.		Telephone No.	(908) 687-7000	
Attorney's firm	Hehl Offices of Javerbaum W	urgaft	Fax. No.	(908) 687-7028	
Street address	370 Chestnut Street, Unio	n, New Jersey 0	7083		
during all daylight hours du	all the above statements and the seminary of New Jersey s Jul 20, 2023 Pr	int Name:	and the property we enter structures and in the papers of the papers of the present (in the present).	Avenue	time.
day of Toward . 20	U 	***************************************		the state of the s	
Notary Public	MARKON		ne (908)		
		Business p	hone		
This application is curre Zoning Municip Other pe	THE ZONING OFFICER: ledge and belief, this application is	, copy encl	osed		
	***************************************	S	ignature		
TO BE COMPLETED BY	THE BOARD SECRETARY:				
	appeals(s) involving these premis If yes, attach copies of				
TO BE COMPLETED BY	THE COMPLETENESS DESIG	GNEE:			
Application accepted as com	plete on	ATTACAS	Signatu	ire	

LIST OF EXISTING NON-CONFORMING ZONING CONDITIONS

Section 7.01B Review of existing non-conforming conditions in connection with applications for variances or for the direction of the issuance of certain permits.

In reviewing applications for variances or for the direction of the issuance of certain permits, the Board shall determine whether any existing non-conforming conditions involving the subject property will exacerbate, intensify, alter, affect or in some way result in a significant impact on the proposed use, structure or land. If the Board finds that no substantial impact or detriment will result, the Board shall so state in its findings of fact in the resolution for the application, without the need for such existing non-conforming conditions to meet the criteria established by N.J.S.A. 40:55D-34, 36, 51a, 51b, 70c and 70d and this ordinance for variances or exceptions. If the Board finds that substantial impacts or detriments will result, however, the application shall not be approved unless and until the applicant agrees to mitigate or eliminate such impacts or detriments to the maximum extent feasible.

The above shall not be construed to alter the review procedures not the criteria for granting variances or exceptions for violations proposed by the development or existing illegally on the subject property.

Note: This list must be consistent with the Variance Table, if otherwise required.

1.	Section:11.08.E.5	Natu	re of Deficience	ey: Minimum Street Side Yard					
Annotation	Permitted: 20 ft.	Present: 8.1 ft.	Present: 8.1 ft. Proposed: Lot 1.01 – N/A; L						
2.	Section:	Natur	re of Deficienc						
	Permitted:	Prese	ent:	Proposed:					
3.	Section:	Natur	re of Deficienc						
	Permitted:	Prese	nt:	Proposed:					
4.	Section:	Natur	re of Deficienc						
	Permitted:	Prese	nt:	Proposed:					
5.	Section:	Natur	e of Deficienc						
- roterior	Permitted:	Prese	nt:	Proposed:					
6.	Section:	Natur	e of Deficienc	ey:					
	Permitted:	Prese	nt:	Proposed:					
5.	Section:	Natur	e of Deficienc						
	Permitted:	Prese	Proposed:						

LIST OF NEW C.40:55D-70 c AND d VARIANCES REQUESTED

SECTION 9.02: GENERAL REQUIREMENTS; SUPPORTING DOCUMENTATION

In addition to the submission requirements for the individual categories of applications in the following sections, all categories of applications, except for conceptual site plans and conceptual subdivisions, shall be required to submit a statement indicating all of the provisions of the Land Use Ordinance from which a waiver or variance is sought.

Note: This list must be consistent with the Variance Table, if otherwise required. 1. Section: 11.08.E.5 Nature of Deficiency: Minimum Front Yard Permitted: 40 ft. Present: 27.08 ft. Proposed: Lot 1.02 - 9.42 ft. 2. Section: 11.08.E.4 Nature of Deficiency: Minimum Lot Depth Permitted: 120 ft. Present: 140.43 ft. Proposed: Lot 1.02 – 78.52 ft. 3. Section:17.05.A Nature of Deficiency: Maximum Driveway Width Permitted: 24 ft. Present: 35.80 ft. Proposed: Lot 1.01 - 26 ft.; Lot 1.02 - 30 ft. 4. Section: Nature of Deficiency: Permitted: Present: Proposed: 5. Section: Nature of Deficiency: Permitted: Present: Proposed: 6 Section: Nature of Deficiency: Permitted: Present: Proposed: 7. Section: Nature of Deficiency: Permitted: Present: Proposed: 8. Section: Nature of Deficiency: Permitted: Present: Proposed:

REQUIREMENTS AND VARIANCES SUMMARY TABLE PER SECTION 911 B.7. TOWN OF WESTFIELD

AND MUST BE SHOWN ON ALL REQUIRED SITE PLANS, SUBDIVISION PLANS, AND PLOT PLANS THIS TABLE MUST BE INCLUDED WITH ALL APPLICATIONS FOR "C" AND "D" VARIANCES,

The below regulations are for all RS, RM and P zones applications. All RA, O, CBD and GB zone applications use the "Bulk and Lot Regulations" for the zone.

ZONE: RS-8 APPLICANT: MICHAEL HENNESSEY

STREET ADDRESS: 444 MOUNTAIN AVE

(BLOCK 1208, LOT 1

	VARIANCE?*	THE PARTY OF THE P									VEC*	VEC*	27.7															
	LOT No 102	N/A	8 583	COCK,	IN/A	8 565	N/A	85.68	N/A	78	78 52	942	27.08	27.33	49 57		0	12.46	10.4%	<15	25.67	-/2.5	29 5%/2 533 sn A	N/A	17 60%/1 513 50 A	0.402/36 52 0	N/A	39.6%/3,399 sq. ft.
PROPOSED FACE	VARIANCE?*																					and the second s						
HEE SEDADATE		8,787	N/A	8 161	2,101	N/A	62.43	N/A	62.43	N/A	127.14	40	N/A	11.32	47.88		5.64	17.52	13%	<15	16.73	<32/2.5	Will Comply	N/A	18.7%/1.645 sq. ft	3.6%/312 sq. ft.	A/X	42.6%/3,744 sq. ft.
	REQUIRED	8,000	8,400	8 000	2226	8,400	09	70	09	70	120	40	20	10	35		5	S	25%	A5	A5	32/2.5	37%/3,200 sq. ft.	25%/8,000 sq. ft.	20%/3,600 sq. ft.	4%/420 sq. ft.	3.5%/720 sq. ft.	50%/6,400 sq. ft.
	UNITS	sq. ft.	sq. ft.	sa. fi		sq. ft.	ff.	ff.	ft.	ft.	ft.	ft.	Ĥ.	Ĥ.	Ĥ.		ff.	ff.	%	ft.	ft.	ft./stories	%	%	%	%	%	%
	REGULATION	Minimum lot area (Interior Lot)	Minimum lot area (Corner Lot)	Minimum area within first 134ft. of depth (Interior Lot)	Minimum area within first 120ft. of depth	(Corner Lot)	Minimum width (Interior Lot)	Minimum width (Corner Lot)	Minimum frontage (Interior Lot)	Minimum frontage (Corner Lot)	Minimum lot depth	Minimum front yard	Minimum street side yard	Minimum side yard	Minimum rear yard	Accessory Structure up to 500 SF	Minimum side yard	Minimum rear yard	Maximum rear yard coverage	Maximum accessory building height	Minimum distance from principle building	Maximum building height	Maximum FAR (12.04.E.1) (0-9,999 SF.)	Maximum FAR (12.04.E.1) (16,000-39,999 SF.)	Maximum coverage by buildings above grade (without deck) (12.04.F.1) (0-23,999 SF.)	Maximum coverage of ingress/egress platform, decks, porches (12.04.F.3) (0-11,999 SF)	Maximum coverage of ingress/egress platform, decks, porches (12.04.F.3) (12,000-23,999 SF)	Maximum coverage by improvements (12.04.G)
	REG. NO.	11.08.E.1	11.08.E.1	11.08.E.2		11.08.E.2	11.08.E.2	11.08.E.2	11.08.E.3	11.08.E.3	11.08.E.4	11.08.E.5	11.08.E.5	11.08.E.6	11.08.E.7		13.01.G.1A	13.01.G.1A	13.01.H	13.01.I.1	13.01.B	11.08.E.8	11.08.E.9	11.08.E.9	11.08.E.10	11.08.E.10	11.08.E.10	11.08.E.11

Request for Waiver of Submission Requirements

Section 8.05D:

The applicant may request one or more of the submission requirements rticle 9 be waived. A written request, explaining is for such request(s) must be submitted ch waiver requests in order to be considered. The its authorized committee shall g eny the waiver request within forty-five (45) days of r the written request. The fol provisions shall apply to the grant of such waivers: Waivers may be granted from submissi ements for formation or supplemental documentation that may be irrelevant or e

documentation that may be irrelevant or experimentation and which are not necessary to determine the substantive merits on.

The above provisions shall not be construed to a set forth in Article 7.

I do hereby request that the Box ve the submission requirement attached pages, for the reasons stated, pursuant to you contained in Section 8.05D of the Land Use Ordinance.

Applicants Signature	Date

Attach a list citing the ordinance section and subject of the waiver, and the reasons for the request.

TOWN OF WESTFIELD UNION COUNTY NEW JERSEY

AFFIDAVIT OF OWNERSHIP

	, of full age, being duly sworn		
(Print Name) according to law, do hereby certify that I am the (check one) owner or duly authorized officer of the owner (as listed on the application form), of the following property which is the subject of the within application to the Westfield Planning Board or Zoning Board of Adjustment:			
Block & Lot (s) Block 1208; Lot 1			
Street Address(es) 444 Mountain Avenue, Westfield, NJ 07090			
Check one:			
1 As the owner (or officer of), I am the	ne Applicant in the within application.		
2 As the owner (or officer of), I am not the Applicant. I certify that I have reviewed and consent to the within application and that the information contained herein is true and correct to the best of my knowledge. I authorize the following entity/individual to act as the Applicant in making this application: a. Authorized Individual/Entity:			
b. Authorized Individual/Entity Interest in Property (i.e., Tenant, Contract Purchaser):			
(Signature	e of Owner/Officer of Owner)		
Sworn and subscribed to before me on this 14 h day of Notary Public			

PATRICK A REITEMEYER Notary Public - State of New Jersey My Commission Expires Jul 20, 2023

ESCROW AGREEMENT AND REFUND REQUEST

Board of Adjustm	ent Planning Board V
NAME: NAME	Aichael Hennessey
ADDRESS:	444 Mountain Avenue, Westfield, NJ 07090
necessary to reimb this application. I the payment of sai	scrow fees as established by Section 5.03A of the Land Use Ordinance are surse the Town for the cost of professional services required for the completion of understand that these fees are deposited into an escrow account to be utilized for d services, and if necessary additional fees will be provided upon request by the n accounting of the escrow deposit.
associated with th for this application	tion of this application and after payment has been made for all professional fees is application, please refund the remaining balance, if any, of funds held in escrow in. I understand there may be a zero balance. I understand there may be a zero balance.
Mino	Ann/ 11/14/19
Signature of App	ligant Date
Notary Pu	RICK A REITEMEYER blic - State of New Jersey ssion Expires Jul 20, 2023

Summary of Hearing Procedures for "c" and "d" Variance Appeals

The Zoning Official will review the application for correctness and completeness. The Applicant will be informed of any deficiencies in the application by the Board Secretary and must promptly submit the additional information.

After the Zoning Official deems the application complete, it will be signed and dated by the Board's completeness designee.

The Board Secretary will then:

- Assign a hearing date and inform the Applicant.
- Prepare a properly worded notice and arrange for its publication in the official newspaper of the municipality (The Westfield Leader).
- Send a copy of the notice to the Applicant, who must then carry out the noticing according to the instructions
 received with the notification list from the Tax Assessor's Office.
- As/if necessary, refer copies of the application for comment to the Architectural Review Board, Historic Preservation Commission, any Consultant deemed necessary by the Board, and other persons having input which will help the Board to reach an informed decision. Additional copies may be requested by the Board Secretary, if needed.

Applicant must return the Affidavit of Notice of Service to the Board Secretary no later than one (1) week before the hearing date.

The Applicant must appear at the hearing, on the advised date and time, at the Westfield municipal building, 425 East Broad Street, together with his attorney, if any, and witnesses, if any. Applicant shall have available for distribution eleven (11) copies of any document to be utilized by him during the hearing. One (1) copy will be sufficient of photographs, oversized posters and charts, and other visual aids.

In reviewing applications, the Board shall determine whether any existing nonconforming conditions involving the subject property will exacerbate, intensify, alter, affect or in some way result in a significant impact on the proposed use, structure or land. If the Board finds that substantial impacts or detriments will result, the application shall not be approved unless and until the Applicant agrees to mitigate or eliminate such impacts or detriments.

The Board reserves the right to deny the application, without prejudice, if the Applicant does not appear or submit a written signed request for postponement, agreeing to any time extension determined by the Board, to the Board's Secretary, at least three (3) business days prior to the hearing. Normally, the Board completes the hearing in one night. If reappearances are necessary, they will be scheduled with the Applicant at the public hearing and announced to the public by the Board Chairman so that renoticing will not be necessary. At the conclusion of the hearing, The Board will reach a decision and will pass a resolution stating its decision and conditions, if any. The Board is then allowed forty five (45) days by law to memorialize (adopt) a written resolution. Memorialization usually takes place at the next monthly meeting.

No later than ten (10) days after the date of memorialization, the Board Secretary will send a copy of the Board's resolution to the applicant or his attorney, and will publish a brief notice of the Board's decision in the official newspaper of the municipality.

After memorialization, if the decision on a development application is favorable to the Applicant, the Applicant may apply to the Building Department for the necessary construction permits. The applicant has one (1) year to apply for the construction permits. After applying for the construction permit, the applicant must start construction within six (6) months of applying for the permit, however the permit is valid for three (3) years.

Additional Submission Requirement for All Applications W Clude Sign Variances.

- Sketches or photos of all existing and for type, location, size, inscription, and illumination, if any.
- State which, if any, of the existing sign moved, or that none will be removed.
- For each new sign(s) provide 18 of a ske rawing showing the type, location in relation to a public entrance, discuss and color relation, if any. Also states of color chip for each relation to a public entrance, discuss and color relation to a public entrance relation to a
- Eighteen (18) sets of present each side of the building.
- When applying for estanding sign, the location of the sign mediate dimensioned form the lot boundaries on a plan of the property, preferably a surveyor's location survey.

De Minimis Exception Application

Instructions for Completing the Form and Checklist

WHEN THIS APPLICATION IS NECESSARY

The municipal approving authority may grant by resolution of the planning board or zoning board of adjustment such *de minimis* exceptions from the requirements of the residential site improvements standard L.J.A.C. Title 5, Chapter 21, as may be reastly le, and within the general purpose and intent of dards if the literal enforcement of one provisions of the standards is impracticable. It exact undue hardship because the diar conditions pertaining to the development in question.

Examples of *de minimis* exception de, but are not to, the following:

- 1. Reducing the minimum number of the minimum size of parking stalls;
- 2. Reducing the minimum geometrics of such as curb radii, horizontal and vertical curves,

intersection angles, centerline radii, a

- 3. Reducing cartway width; and
- 4. Any changes in standards neces in standards neces alming devices.

PROPERTY INFORMATION		
Block	Provide all tax by the subject property,	
	as shown on the off. map of the Township.	
Lot	Provide all tax lot num. the subject property, as	
	shown on the official tax	
Zone	Provide all zoning information of the subject property,	
	as shown on the official zone map of the Township.	
Address of the subject property	Provide the numbered street address of the property, if	
	known. Otherwise, just provide the street or	
	intersection.	
Indicate the standards from which an	Refer to the State statute, N.J.A.C. Title 5, Chapter 21	
exception is sought	Residential Improvement Standards. Your professional	
	engineer should have a copy of this statute. Include the	
	citation(s).	
Indicate the manner by which strict	Refer to the State statute, N.J.A.C. Title 5, Chapter 21	
compliance would result in practical	(RSIS).	
difficulties		
Indicate the nature and extent of such	Refer to the State statute, N.J.A.C. Title 5, Chapter 21	
practical difficulties	(RSIS).	

TOWN OF WESTFIELD Application for

Application for DE MINIMIS EXCEPTION FROM RESIDENTIAL SITE IMPROVEMENT STANDARDS (New Jersey Administrative Code, Title 5, Chapter 21)

NAME AND ADDRESS INFORM	ATION			
Applicant's Name Zip Code	Mailing Address	Daytime Telephone		
Property Owner's Name – if other than above Zip Code	Mailing Address	Daytime Telephone		
Authorized Agent (Contact Person) for correspondence Zip Code	Mailing Address	Daytime Telephone		
PROPERTY INFORMATION				
Block(s)	Lot(s)	Zone		
Address of Subject Property				
Indicate below the stand from which an exception of the stand from which an exception of the standard from which an exception of the standard from which an exception of the standard from which are exception of the standard from the st	ption is sought (include citation) – use	nal sheet if necessary:		
Indicate below the manner by which strict complinecessary:	ns would result in pra	actical difficulties – use additional sheet if		
Indicate the nature and extended practical di	fficulties – use additional shee	y:		
Applicant's Signature	Property Owner's Sig	nature (if other than applicant)		
Agent's Signature				

APPLICANT: MICHAEL & ROSEANN HENNESSEY

PROPERTY: 444 MOUNTAIN AVENUE

BLOCK 1208, LOT 1

RS-8 ZONE

STATEMENT OF PRINCIPLE POINTS

The within Application involves a request for Minor Subdivision and Bulk Variance approvals in connection with the property located 444 Mountain Avenue, Westfield, New Jersey and designated as Block 1208, Lot 1 on the Tax Maps of the Township of Westfield (the "Property"). The Property is located in the RS-8 (Single-Family Residence) Zone District (the "RS-8 Zone"). The Property is owned by the Applicants, Michael and Roseann Hennessey (the "Applicants"). The Applicants are proposing to subdivide the current 17,370 square foot lot, which contains an existing single-family home and detached frame garage.

The proposed Lot 1.02 will be 8,583 square feet and retain the existing single-family dwelling. Lot 1.02 will retain its frontage along Mountain Avenue and be a corner lot. Lot 1.02's designation as a corner lot, necessitates the variance relief sought for minimum front yard setback and for minimum lot depth. The Applicants are proposing to construct a new 500 square foot garage, with a new paved driveway on Lot 1.02.

The proposed Lot 1.01 will be 8,787 square feet and retain the existing detached frame garage and driveway. Lot 1.01 will have frontage along North Euclid Avenue. The Applicants are proposing to construct a new single-family dwelling on Lot 1.01, which will meet or exceed all setback requirements under the Township Land Use regulations.

The Application also requires a variance for maximum driveway width for both lots. The minimum required driveway width in the RS-8 Zone is 24 feet square feet and the proposed subdivision would create proposed lot 1.01 with an existing 26-foot-wide driveaway and proposed lot 1.02 with a 30-foot wide driveaway.

Professional testimony will be offered at the public hearing provided additional details of the surrounding area and the justification for the variances sought. For the reasons discussed above, we respectfully request that the request for a minor subdivision be approved. APPLICANT: MICHAEL & ROSEANN HENNESSEY

PROPERTY: 444 MOUNTAIN AVENUE

BLOCK 1208, LOT 1

RS-8 ZONE

LIST OF APPLICANTS' PROFESSIONALS

Engineer: Thomas Quinn, P.E., C.M.E.

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Scotch Plains, New Jersey 07076

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